

## **REMARKS**

The present Amendment is in response to the Examiner's Office Action mailed January 29, 2007. Claims 9, 11, 15, and 23 are cancelled, claims 1, 10, 16, 20, and 37 are amended, and new claims 40-43 are added. Claims 1-8, 10, 12-14, 16-22, and 24-43 are now pending in view of the above amendments.

Reconsideration of the application is respectfully requested in view of the above amendments to the claims and the following remarks. For the Examiner's convenience and reference, Applicant's remarks are presented in the order in which the corresponding issues were raised in the Office Action.

Please note that the following remarks are not intended to be an exhaustive enumeration of the distinctions between any cited references and the claimed invention. Rather, the distinctions identified and discussed below are presented solely by way of example to illustrate some of the differences between the claimed invention and the cited references. In addition, Applicants request that the Examiner carefully review any references discussed below to ensure that Applicants' understanding and discussion of the references, if any, is consistent with the Examiner's understanding.

### **I. PRIOR ART REJECTIONS**

#### **A. Rejection Under 35 U.S.C. § 103**

The Examiner rejects claims 1-12, 16-19, 28-35, and 37-39 under 35 U.S.C. § 103 as being unpatentable over *Gregory* (U.S. Patent No. 6,305,848) in view of *Flickinger et al.* (U.S. Patent No. 6,517,382).

Applicants traverse the Examiner's rejection for obviousness on the grounds that the references – either individually or in combination – fail to teach or suggest each and every element of the rejected claims.

Claim 1 has been amended to include the element, "wherein at least two optoelectronic modules are removably connected to at least one of the daughter cards." The Examiner admits on page 5 of the Office Action that the prior art fails to suggest at least two optoelectronic modules removably connected to at least one daughter card. The Examiner alleges, however, that such element would be obvious "in order to increase the number of signals that can be

transmitted, received and processed by the daughter card.” The Examiner does not cite to a source in support, however. Rather, the allegation is merely a conclusory statement. In fact, the only concrete source of such teachings of record exists in the Applicant’s specification. It is well established that there must be some reason for finding the missing elements obvious other than the hindsight obtained from the Applicant’s invention itself.

In connection with the foregoing, Applicant notes that it appears that the Examiner may also be relying on personal knowledge. In view of the foregoing, and pursuant to 37 C.F.R. 1.104(d)(2), Applicant hereby respectfully requests an Examiner affidavit that: (i) specifically identifies any and all references(s), other than those that have been specifically cited by the Examiner, upon which the obviousness rejection is based; and (ii) provides complete details concerning the reasoning and analysis of the Examiner concerning those references as those references are purported to apply to the rejection of the claims.

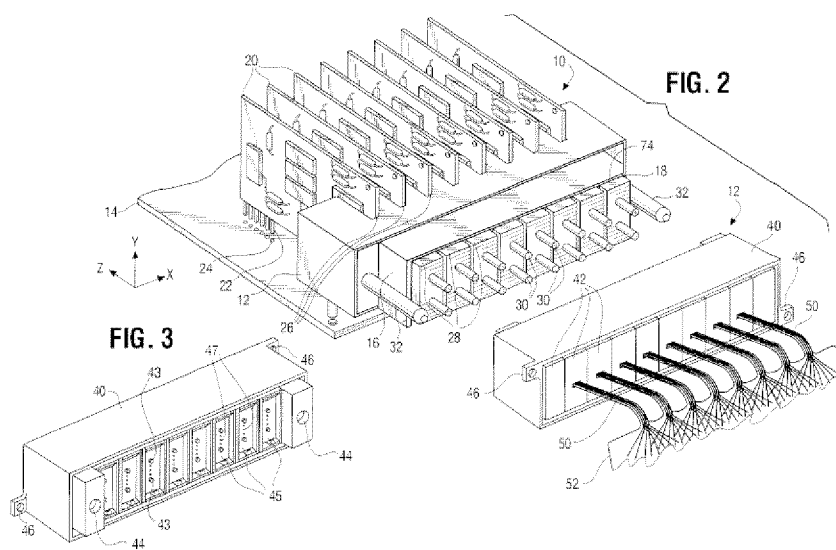
Therefore, the Applicant respectfully requests that the rejection of claim 1 be withdrawn at least for the reason that the art of record fails to teach or suggest every element of claim 1.

Claims 2-8, 28, 30, 31, and 32 depend from claim 1. If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious. *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). As such, the Applicant respectfully requests that the rejections of claims 2-8, 28, 30, 31, and 32 be withdrawn for at least the same reasons as claim 1.

Claim 10 has been amended to include the element, “a plurality of optical fiber connectors that are each connected to optical ports of a respective one of the transceiver modules, wherein each optical fiber connector includes a release sleeve that slides along the optical fiber connector to engage and disengage the connector to and from the optical ports.” The Examiner alleges on page 5 of the Office Action that “Gregory further teaches that a plurality of optical fiber connectors (42) are each connected to optical portion of a respective one of the transceiver modules (28), wherein each optical fiber connector a release sleeve (the portion of 40 associated with each connector, 42) that slides along the optical fiber connector (42) to engage and disengage the connector to and from the optical ports.” The Applicant respectfully disagrees with this characterization of *Gregory*.

Figures 2 and 3 of *Gregory* are reproduced below. The Applicant has been unable to locate any such disclosure in *Gregory* for the proposition that element 40 slides along the optical

fiber connector 42 to engage and disengage the connector 42 from the optical ports as alleged. In fact, in direct contrast *Gregory* discloses that “the mating optical connector [12] itself must be rigidly mounted within the chassis based system in order to receive the connecting portion of the high-density blindmate optoelectronic module 10 as the mother board 14 is inserted into the printed circuit board support rack of the chassis based system.” (Col. 4, line 67 – col. 5, line 5) (emphasis added). Thus, *Gregory* discloses that the element 40 is rigidly mounted within a chassis as opposed to being configured to slide as alleged. If the origin of teachings set forth exists in the references then the Applicants request that this origin be set forth by the Patent Office as suggested by MPEP 2144.08 III.



Therefore, the Applicant respectfully requests that the rejection of claim 10 be withdrawn as least because the art of record does not teach or suggest each and every element of claim 10.

Claims 12, 29, 33, and 34 depend from claim 10. As such, the Applicants respectfully request that the rejections of claims 12, 29, 33, and 34 be withdrawn at least for the same reasons as claim 10.

Claim 16 has been amended to include the element, “a latching mechanism that is attached to one of the transceiver modules, comprising: a rotatable bail; and two curved recesses that are defined in surfaces of the respective transceiver module to each movably receive an end

portion of the bail.” The Applicant respectfully requests that the rejection of claim 16 be withdrawn at least for the reason that the art of record fails to teach or suggest this element of claim 16 in combination with each and every other element of claim 16.

Claims 17-19 and 35 depend from claim 16. As such, the Applicant respectfully requests that the rejections of claims 17-19 and 35 be withdrawn at least for the same reasons as claim 16.

Claim 37, as amended, requires “at least two cages ... connected to at least one of the daughter cards.” The Applicant respectfully requests that the rejection of claim 37 be withdrawn at least for the reason that the art of record fails to teach or suggest this element of claim 37. Claims 38 and 39 depend from claim 37. As such, the Applicant respectfully requests that the rejection of claims 38 and 39 be withdrawn for at least the same reasons as claim 37.

## **II. Allowed Subject Matter**

The Examiner’s allowance of claims 13, 14, 20-22, 24-27, and 36 is appreciated. Applicants wish to thank the Examiner for the careful review and allowance of those claims.

The Applicant’s submit the following comments concerning the Examiner’s statements of reasons for the indication of allowable subject matter in the Office Action. Applicant agrees with the Examiner that the claimed invention of claims 13, 14, 20-22, 24-27, and 36 is patentable over the prior art, but respectfully disagrees with the Examiners statement of reasons for allowance as set forth in Office Action. Applicant submits that it is the claim as a whole, rather than any particular limitation, that makes each of the claims allowable. No single limitation should be construed as the reason for allowance of a claim because it is each of the elements of the claim that makes it allowable. Therefore, Applicant’s do not concede that the reasons for allowable subject matter given by the Examiner are the only reasons that make, or would make, the claims allowable and do not make any admission or concession concerning the Examiner’s statement in the Office Action.

## **III. New Claims**

Claims 40-43 depend from claim 1 or claim 37. Therefore, claims 40-43 are believed to be allowable at least for the same reasons as claims 1 or 37.

**CONCLUSION**

In view of the foregoing, Applicants believe the claims as amended are in allowable form. In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, or which may be overcome by an Examiner's Amendment, the Examiner is requested to contact the undersigned attorney.

Dated this 22<sup>nd</sup> day of May, 2007.

Respectfully submitted,

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